that under the code, as under the common law, the United States might have been considered the legal plaintiff and entitled to sue. In such a case the code theory would be that the United States sued as trustee of an express trust. Such was the holding in *United States* v. *McCann* and *United States* v. *Rundle, supra.* Nevertheless, the general rule laid down by the codes, that the real party in interest shall be the plaintiff, constantly emphasizes the equitable doctrine of parties, as distinguished from the legal. And a federal court, sitting in a code state, and accustomed to follow the local rules of pleading in law actions, might very naturally be influenced in its attitude toward such a question as this by a habit of mind due to the familiar and constant dealing with the peculiarities of code procedure.

THE SESSION LAWS OF PORTO RICO.—Montesquieu without doubt is wrong in putting so much stress on the doctrine that climate is the prime factor in the legal system of a people (L'Esprit des Lois, livre XIV). The United States government in its experiment with the people of Porto Rico is about to lend additional proof to those who maintain that the influence of climate, topography and geographical position may be shaped or destroyed by human legislation. It assuredly is no easy task to overcome these physical difficulties, but the federal government is now seriously at work to engraft upon an ancient Roman-Spanish code the most advanced and characteristic Anglo-Saxon ideas.

The change, however, is going on. The object of prime care with the Porto Rican Legislature of 1903 was to pass a thorough and beneficial act concerning the general education and containing provision for the tuition of the youngest to the instruction of normal and university students (Laws of Porto Rico, 1903, pp. 60-102). Kindred to this is the legislation in regard to the public library at San Juan (p. 107). We see also the guaranty of the Writ of Habeas Corpus (p. 102). The condemnation of private property for public use has been regulated (pp. 50-57). So the Porto Rican householder or his surviving wife or minor children has been given a homestead exemption (p. 105). These and similar acts will show the innovations introduced.

According to the testimony of those who know, the whole system, with the possible exception of trial by jury, is working smoothly and is affording general satisfaction. It is to be hoped that the good promise of the beginning will find an adequate realization in the future.